

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Establishment – Ministerial – Zilla Praja Parishad, East Godavari District – Smt. Sara Subhashini Kumari, Typist on daily wage – Sanction of regular scale of pay and regularization of services from the date of her initial date of appointment – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (ESTT.VA) DEPARTMENT.

G.O.Ms.No. 387

Dated:21.08.2013.

Read the following :-

1. G.O.Rt.No.1175, PR&RD Deptt. dated. 17.7.1987.
2. G.O.Ms.No.193, G.A.(Ser.A) Deptt. dated 14.03.1990.
3. Procs. Of District Dev.Officer, ZPP. East Godavari District Rc.No.D2/9739/1988, dated 12.08.1991.
4. Govt.Memo.No.7153/Estt.V/90-11, dt. 22.06.1992.
5. Govt.Memo.No.28129/Estt.V/94-1, dated 11.05.1994.
6. G.O.Ms.No.468, PR&RD (Estt.V) Deptt.dt. 05.06.1995.
7. From the CEO., ZPP. East Godavari District Rc.No.D2/5625/92, dt. 02.11.2011.
8. Hon'ble APAT orders dated 12.09.2011 in O.A.No.7703/2009.
9. G.O.Ms.No.54, PR&RD (Estt.VA) Deptt. dt. 03.03.2011.
10. From the CEO., ZPP, East Godavari District Lr.No.Rc.No.D4/3458/2009, dated 12.06.2013.
11. From the CPR&RE, Lr.No.10133/I-1/CPR&RE/2009, dated 26.06.2013.

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ORDER :-

During the year 1987, consequent upon formation of Mandal Parishads, vide reference 1st read above, the Government have accorded special permission to appoint Typists on daily wage basis duly drawn from the Employment Exchange in all the district of the State. Accordingly, after following the due procedure by the District Section Committee (DSC), in East Godavari District has selected and appointed 19 candidates out of sanctioned 29 posts and in the remaining 10 vacancies, the already appointed and working candidates on daily wage basis 10 typists were accommodate informally and Smt. P.Sara Subhashini Kumari daily wage typist was one among 10 typists.

2. Subsequently, in the reference 2nd read above, the Govt. have permitted to regularize the services of daily wage Typists who would fulfil the conditions laid down in the said G.O. The District Development Officer, East Godavri District, Kakinada has issued orders regularising the services of 19 candidates who were selected through DSC were regularized with effect from 14.03.1990 and referred the cases of remaining 10 typists who were not selected by the DSC to Government for clarification.

3. Based on the clarification given by the Govt. in Memo.No.44027/Estt.V/90-1, dated 4.1.1991 directing the District Development Officer to absorb daily wage typists who were appointed in terms of G.O.Ms.No.1175 PR&RD dt. 17.07.1987 on regular basis from the date of issue of G.O.Ms.No.193, G.A.(Ser.A) Department, dt. 14.03.1990 provided they satisfy the conditions laid down in the said G.O. and also who were covered by exemption given in G.O.Ms.No.1261, Labour Employment and Technical Education Deptt. Accordingly, Smt Sara Subhashini Daily wage typist among 10 typists were also absorbed into regular time scale with effect from 14.03.1990 vide District Development Officer Procs. Rc.No.D2/9739/1988, dated. 12.8.1991.

4. Later Govt. vide Memo.No.7153/E.V/90-11, dated 22.06.1992 instructed the District Development Officers that they have appointed typists without verifying the conditions as per G.O.Ms.No.193 and also directed to issue show cause notices to the Typists for cancellation of absorption orders already issued. Accordingly show cause notices were issued to Smt Sara Subhashini Kumari, Typist who her regularization orders should not be cancelled. Aggrieved by this, Smt Sara Subhashini

Kumari, Typist and others approached the Hon'ble APAT challenging the said show cause notices. The Hon'ble APAT in its judgment dated 09.11.2001 in O.A. No.4200/92 observed that sponsoring of candidates from employment exchange is not a must. Hence, the show cause notices issued to the applicants were set aside by the Tribunal. The applicants were therefore continued in the same post with regular time scale of pay.

5. In the meanwhile the Govt. in Memo. No.28129/ Estt.V/ 94-1, dated 11.5.1994 called for the particulars of daily wages Junior Assistant and Typists working in all the Zilla Parishads of the State in terms of orders issued in G.O.Ms.No.212 F&P (FW) Deptt. dated 22.4.1994 for regularizing their services, though the said G.O. is not applicable to this case since this case comes under the purview of the orders issued in G.O.Ms.No.193, dated 14.3.1990. However, by mistake, the Chief Executive Officer, Zilla Praja Parishad, East Godavari District furnished the proposal to the Government for regularization of above 10 typists who were drawing regular time scale with effect from 14.03.1990. Based on the proposal from Commissioner of Panchayat Raj and Rural Employment and Chief Executive Officer, Zilla Praja Parishad, East Godavari District Government issued orders in G.O.Ms.No.468, Panchayat Raj and Rural Development (Estt.V) Department, dated 5.6.1995 considering regularizing of (4) typists with prospective date out of 10 typists in terms of G.O.Ms.No.212 F&P (FW) Deptt. dated 22.4.1994. The request of Smt Sara Subhashini Kumari, typist and other 5 typists was rejected by the Government.

6. **Aggrieved by this, Smt. P.Sara Subhashini Kumari, Typist filed O.A.No.7703 of 2009. The Hon'ble APAT in its final orders dated 12.09.2011 directed the respondents "to extend the benefit of regularisation of services of the applicant from the date of initial appointment i.e., from 16.11.1983 as per G.O.Ms.No.337, dated 29.07.1998 as was done in the case of others vide G.O.Ms.No.54, dated 03.03.2011 of Krishna District and pass appropriate orders with all consequential benefits within a period of 6 weeks from the date of receipt of orders."**

7. Accordingly, the applicant Smt Sara Subhasini Kumari, typist has submitted a representation dated 25.11.2011 to the Government to regularize her services.

8. The Commissioner of Panchayat Raj and Rural Employment who was consulted in the matter in his letter dated 26.06.2013 has stated that connected record was obtained from both the Chief Executive Officers i.e., East Godavari and Krishna Districts and a comparative statement also prepared and the request of Smt. Sara Subhashini Kumari is similar to that of the individuals whose cases were considered vide G.O.Ms.No.54, Panchayat Raj and Rural Development, dated 03.03.2011.

9. The Government have observed that based on the report of the Chief Executive Officer, Zilla Praja Parishad, Krishna District and the orders of Hon'ble APAT., Government (**in G.O.Ms.No.54, PR&RD (Estt.VA) Deptt. dated 3.3.2011**) vide reference 10 read above, have issued orders directing the Chief Executive Officer, Zilla Praja Parishad, Krishna District to regularize the services of 9 typists of Krishna District (Sri VVSV Prasada Rao and others from the date of their initial appointment.

10. The Government after careful examination of the proposals of the Commissioner of Panchayat Raj and Rural Employment, Hyderabad and the Chief Executive Officer, Zilla Praja Parishad, East Godavari District and also in the light of the orders of the Hon'ble Administrative Tribunal in O.A.No.7703/2009 with M.A.No.880/2011 dated 12.09.2011 here by direct the Chief Executive Officer, Zilla Praja Parishad, East Godavari District that the service of Smt. P. Sara Subhashini Kumari, Typist, Mandal Praja Praja Parishad, Rangampet, East Godavari District be regularized from the date of her initial appointment as a special case on par with similarly appointed

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candidates of Krishna District vide orders issued in G.O.Ms.No.54, Panchayat Raj and Rural Employment (Estt.VA) Department, dated 03.03.2011.

11. The Commissioner of Panchayat Raj and Rural Employment, Hyderabad / Chief Executive Officer, Zilla Praja Parishad, East Godavari District are requested to take necessary action as per rules in the matter.

12. This order issues with the concurrence of Finance (PC.III) Department vide their U.O.No.18064/151/A1/PC.III/2013, dated 09.07.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

The Commissioner of Panchayat Raj and Rural Employment, Hyderabad

Copy to :

The Chief Executive Officer, Zilla Praja Parishad, East Godavari District.

The individual concerned through the Chief Executive Officer, ZPP, East Godavari District.

The Director, Local Fund Audit, A.P. Hyderabad.

The District Treasury Officer, East Godavari District.

The Private Secretary to Minister (PR&RWS) , Hyderabad.

The Private Secretary to Principal Secretary to Government (PR)

The Finance (PC.III) Department.

The Stock File/Spare Copy.

//FORWARDED BY ORDER//

SECTION OFFICER.